

REMARKS

Claims 7-17, 38-49, 61-89, and 91-94 were pending in the application. Claims 49, 68, 69, 74-76, 78-82, 87-89, 91, and 93-94 have been amended. New claims 95-170 have been added. Thus, claims 7-17, 38-49, 61-89, and 91-170 are pending following entry of the amendment.

Claims 68 and 69 have been amended to change the dependency. Claims 49, 74-76, 78-82, 87-89, 91, and 93-94 have been amended to delete reference to multiple dependent claims. Accordingly, new claims 95-170 have been added to include the subject matter of amended claims 49, 74-76, 78-82, 87-89, 91, and 93-94. No new matter has been added.

Amendments to the claims should in no way be construed as an acquiescence to any of the Examiner's rejections and was done solely to expedite the prosecution of the application. Applicant reserves the right to pursue the claims as originally filed in this or a separate application(s).

Acknowledgement of Withdrawn Rejections

Applicant gratefully acknowledges the Examiner's withdrawal of the previous rejections.

Allowed Claims

Applicant gratefully acknowledges the Examiner's indication that claims 7-17, 38-49, 61-77, 79-81, and 93 are free of the prior art. Applicant also gratefully acknowledges the Examiner's indication that claims 7-17, 38-49, 61-77, 79-81, and 93 are allowed.

Rejection of Claims 78, 82-92 and 94 Under 35 U.S.C. § 112, First Paragraph

The Examiner has rejected claims 78, 82-92 and 94 under 35 U.S.C. § 112, first paragraph for failing to comply with the written description requirement. The Examiner alleges that there is not adequate written description in the specification for use of the term "interferon inducing agents." The Examiner also states that "there does not appear to be an adequate description in the specification as-filed of the essential structural feature that provides the recited function of inducing an interferon." Applicant respectfully traverses this rejection for the reasons set forth in the Amendment and Response previously filed on November 29, 2004. However, in the interest of expediting prosecution, Applicant has amended claims 78 and 82 to delete reference to the phrase "interferon inducing agents."

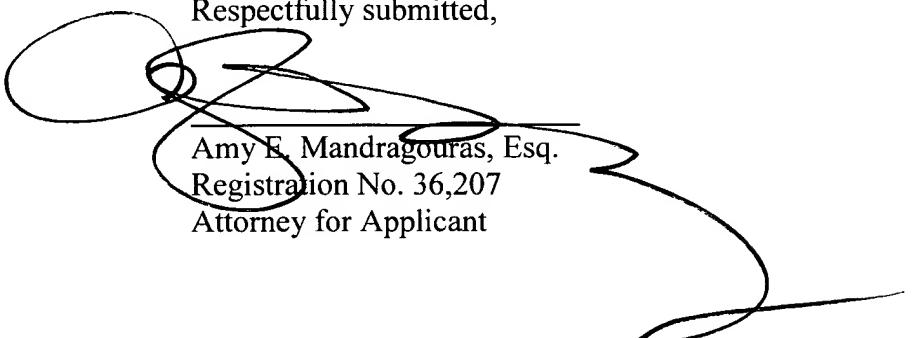
Information Disclosure Statement

Applicant notes that to date Applicant has not received an indication that the Examiner has considered the references described in the Information Disclosure Statement filed on May 3, 2004. Applicant respectfully requests that the Examiner provide an initialed copy of Form PTO/SB/08 which was filed on May 3, 2004 to indicate that said references have been considered.

CONCLUSION

Reconsideration and allowance of all the pending claims is respectfully requested. If a telephone conversation with Applicant's Attorney would expedite prosecution of the above-identified application, the Examiner is urged to call the undersigned at (617) 227-7400.

Respectfully submitted,


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